

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:03-CV-491-RJC-DCK**

<b>CHARLIE LEE RICHARDSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>ORDER</b>
<b>v.</b>	)	
	)	
<b>HARRY WILSON,</b>	)	
<b>STAFF ATTORNEY FOR THE</b>	)	
<b>DEPARTMENT OF PUBLIC</b>	)	
<b>INSTRUCTION,</b>	)	
<b>Defendant.</b>	)	

**THIS MATTER IS BEFORE THE COURT** on the Plaintiff's "Motion for Reconsideration" (Document No. 117). Having considered the record, including the motion, the undersigned Magistrate Judge will deny the motion for the following reasons:

Review of the record indicates that Plaintiff has repeatedly sought reconsideration of numerous motions in this case. The Court granted summary judgment to Defendant on November 30, 2005, and closed this case on December 12, 2005. The *pro se* Plaintiff sought reconsideration (Document Nos. 87, 89), which was denied. (See Document No. 92, Order). Plaintiff filed additional post-judgment motions (Document Nos. 95-100), which were denied. (See Document No. 102, Order dated March 30, 2007). Plaintiff filed another round of similar motions (Document Nos. 103-107) to re-open his case and re-consider the Order of March 30, 2007. These motions were denied. (Document No. 108). On June 24, 2008, the Fourth Circuit Court of Appeals dismissed the Plaintiff's appeal as untimely. (Document No. 112).

On October 30, 2008, the Plaintiff filed another motion seeking a hearing and to compel a response to a subpoena issued by Plaintiff on October 17, 2008 (Document No. 114-2). This motion

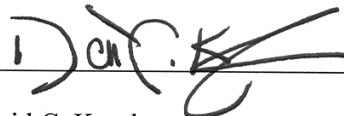
was denied on December 1, 2008. (Document No. 116). Plaintiff then filed a document entitled “Reconsideration Motion, and Perjury and Sanction Motions” (Document No. 117). The motion argues the reasons “why Plaintiff finds it necessary to move forward in this case and to request such Reconsideration.” (Document No. 117, p.3, ¶9). Discovery may not proceed when judgment has been rendered and the case is closed.

With respect to further appeal, Plaintiff indicates that “[t]ime is of the essence in Plaintiff’s filing of the Writ with the Supreme Court...” (Document No. 117, p. 3) and that “[u]rgent action due to the Extension of Time allowed by the Supreme Court in this case is requested...” (Document No. 117, p. 5). If Plaintiff is pursuing further appeal to the United States Supreme Court, then this Court lacks jurisdiction to address any motions by Plaintiff, including those pertaining to discovery and sanctions.

**IT IS THEREFORE ORDERED** that the Plaintiff’s “Motion for Reconsideration” (Document No. 117) is **DENIED**.

**IT IS SO ORDERED.**

Signed: January 12, 2009

  
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David C. Keesler  
United States Magistrate Judge

